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November 24, 2014

By ECF

The Honorable Michael A. Shipp
United States District Court
District of New Jersey
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street Room 2020
Trenton, New Jersey 08608

Re: *Gerald J. Klein v. TD Ameritrade Holding Corporation, et al.*,
No. 2014-cv-05738

Dear Judge Shipp:

This Firm and Sidley Austin LLP are counsel to defendants TD Ameritrade Holding Corporation and TD Ameritrade, Inc. (collectively, “TD Ameritrade”), and Fredric Tomczyk (“Mr. Tomczyk”) in the above-referenced action. We submit this jointly with Levi & Korsinsky LLP and Lite DePalma Greenberg, LLC, counsel for Plaintiff Gerald J. Klein and proposed lead plaintiffs Kwok L. Shum and Roderick Ford (“Proposed Lead Plaintiffs”).

Specifically, the parties write to advise the Court that, as requested in TD Ameritrade’s and Mr. Tomczyk’s pending Motion to Transfer (ECF No. 19), Proposed Lead Plaintiffs agree to transfer this action to the U.S. District Court for the District of Nebraska. Further, TD Ameritrade and Mr. Tomczyk do not take any position on the Motion made pursuant to the PSLRA of the Shum Group for Appointment as Lead Plaintiff and Approval of Selection of Counsel (“Lead Plaintiffs’ Motion”). *See* ECF No. 22.

Therefore, TD Ameritrade and Mr. Tomczyk respectfully request that the Motion to Transfer be granted by consent. And Plaintiff requests that Lead Plaintiffs’ Motion be granted as unopposed. In seeking this relief, the parties reserve all of their respective rights, including with respect to whether this action should be consolidated with the four actions against TD Ameritrade that are presently pending in the District of Nebraska, which actions are more fully described in the Transfer Motion, and whether any of the actions may be maintained as class actions or otherwise. *See* ECF No. 19.

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If the foregoing is acceptable to your Honor, the parties respectfully request that Your Honor enter the proposed Orders that were submitted with the parties' respective motions, copies of which respectfully are enclosed with this letter.

Respectfully,

s/Donald A. Robinson

Donald A. Robinson

cc: All Counsel of Record (w/e)